

S/N: 10/706,760

Filed: November 12, 2003

AMENDMENT AND RESPONSE

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Remarks

The Official Action mailed March 3, 2006, has been received and its contents noted carefully. The specification has been objected to because of informalities. Claim 8 has been rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. Claims 1, 3 and 8 have been rejected under 35 U.S.C. §102 as being anticipated by Bagrov, et al., (SU 1635981 A1). Claims 9-13 have been rejected under 35 U.S.C. §103 as being unpatentable over Bagrov, et al., (SU 1635981 A1). Claims 2 and 4 have been rejected under 35 U.S.C. §103 as being unpatentable over Bagrov, et al., (SU 1635981 A1) in view of Laguette, et al., (6,478,821 B1). Claim 5 has been rejected under 35 U.S.C. §103 as being unpatentable over Bagrov, et al., (SU 1635981 A1) in view of Vanderbilt (6,329,485). Claims 6 and 7 have been rejected under 35 U.S.C. §103 as being unpatentable over Bagrov, et al., (SU 1635981 A1) in view of Hodd, et al., (WO 99/47185 A2).

With respect to the objections to the specification, applicants have made the amendments suggested by the Examiner.

With respect to the Section 112 rejection of claim 8, applicants have made an appropriate amendment to this claim to provide a proper antecedent basis for the column.

With respect to the rejection of the claims based on Bagrov, et al., the Examiner has stated that this reference discloses a two optic lens system, the two optics comprising optic 1, shown in FIG. 5 and the posterior capsule. The Examiner is incorrect that this reference discloses any two optic lens system. FIG. 3, 4 and 5 of this reference clearly disclose an intraocular lens having a single optic. The translated English abstract likewise clearly describes a single optic intraocular lens. To the extent that the Examiner relies on the posterior capsule in describing a two optic lens system, the Examiner is in error. The human lens capsule has no optical power whatsoever. The lens capsule is a clear, specialized thickened basement membrane that completely surrounds the lens and provides anchoring sites for zonules, the filamentous bodies that suspend the lens. The Examiner has provided no authority for his position that the human lens capsule has any optical power. According, the Examiner's position that the Bagrov, et al., reference discloses a two-optic lens system is unsupportable, and applicants request that the rejection of the claims based on this reference be withdrawn.

Applicants also note that none of the other references relied on by the Examiner disclose a two-optic lens system.

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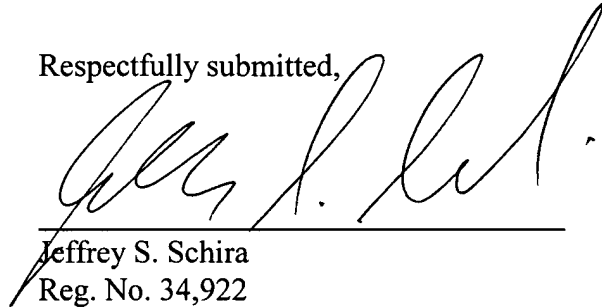
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Having fully responded the outstanding Official Action, applicants request that claims 1-13 be allowed and that a patent containing these claims issue in due course.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey S. Schira", is written over a horizontal line.

Jeffrey S. Schira

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